

**REMARKS**

Claims 1-30 are pending in the Application.

***Preliminary Matters***

Applicants thank the Examiner for acknowledging the claim for foreign priority under 35 U.S.C. § 119, as well as confirming receipt of the certified copy of the priority document.

Applicants also thank the Examiner for considering and initialing the Information Disclosure Statements filed August 21, 2006, October 17, 2006, and April 2, 2008.

***Drawings***

The drawings are objected to. Specifically, the Examiner asserts that the photographs in FIGS. 5A, 5B, 7A, and 7B are not of sufficient quality that all details are reproducible in the printed patent. By this Amendment, Applicants submit Replacement Sheets of FIGS. 5A, 5B, 7A, and 7B, and submit that the figures are sufficiently clear. Applicants accordingly request that the objection be withdrawn.

The Examiner also asserts that the features of the claims are not sufficiently illustrated. The Examiner specifically cites the features “a position of a highest portion out of fine roughnesses existing on the surface is assumed as an outermost surface position, an occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 2.0  $\mu\text{m}$  from the outermost surface position to an area of an overall surface of a portion that contacts the other member is set to from 90% or more to less than 100%,” of claim 1, and similar features of claims 2-6. Applicants submit that the claimed occupational ratios at the claimed depths is illustrated at least at FIGS. 6A-6I, showing the distributions of the surface structures.

***Claim Rejections - 35 U.S.C. § 112***

Claims 1-6 and 13-18 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts that the features “a position of a highest portion out of fine roughnesses”, and “a highest portion...is assumed as an outermost surface portion,” and the ratios recited in claims 1-6 are unclear.

By this Amendment, Applicants amend claims 1-6 to clarify their language, and submit that as amended, the claims are sufficiently clear and definite. Applicants accordingly request that the rejection be withdrawn.

***Claim Rejections - 35 U.S.C. § 102***

Claims 1-30 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sada (US Patent 5,997,988). Applicants respectfully traverse.

Sada discloses a roller for a cam follower 1. As recited in col. 3, lines 37-48 of Sada, a plurality of very small recesses which are independent of each other are formed on a rolling contact surface 11a which is an outer peripheral surface of an outer ring 11. In roughness profile R extracted from the rolling contact surface 11a, the maximum height  $R_y$  is 1 to 3  $\mu\text{m}$ , and the ratio  $R_p/R_v$  of the peak  $R_p$  above center line to the valley depth  $R_v$  below the center line is set to not less than 0.3. The ratio of the open area of the very small recesses to the whole area of the rolling contact surface 11a, that is, the area ratio, is set to 5 to 20% and more particularly, 5 to 10%.

In comparison, the inventions recited in claims 1-3 provide a rolling sliding parts having a surface which contacts another member via a rolling contact or a sliding contact in use. When a position of a highest portion out of fine roughness existing on the surface is an outermost

surface position, an occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a specific depth (2.0  $\mu\text{m}$  in claim 1, 1.5  $\mu\text{m}$  in claim 2, 1.0  $\mu\text{m}$  in claim 3) from the outermost surface position to an area of an overall area of the surface that contacts the other member is set to from 90 (80 in claim 2, 50 in claim 3) % or more to less than 100%.

Applicants submit that the rolling contact surface 11a of Sada corresponds to the outermost surface position of the claimed invention. And, Sada only discloses that the ratio of the open area of the very small recesses at the rolling contact surface 11a (the outermost surface position of the claimed invention) is set to 5 to 20% or, 5 to 10%.

In contrast, in the invention of claim 1, the occupation ratio of a contact portion of the fine roughness at a portion that is positioned at a depth of 2.0  $\mu\text{m}$  from the outermost surface position is set to from 90% or more to less than 100%, with analogous features recited in claims 2 and 3.

That is, a reference position of the claimed invention completely differs from that of Sada. Sada does not disclose at least the ratios recited in claims 1-3.

Therefore, Sada does not disclose the every feature of claims 1-3. Applicants accordingly submit that claims 1-3 are patentable over the cited art, and claims 4-30 are patentable at least by virtue of their respective dependencies.

***Conclusion***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

Date: September 18, 2009